

1 **Marquis & Aurbach**
2 Jay Young, Esq.
3 Nevada Bar No. 5562
4 David T. Duncan, Esq.
5 Nevada Bar No. 9546
6 10001 Park Run Drive
7 Las Vegas, Nevada 89145
8 Telephone: (702) 382-0711
9 Facsimile: (702) 382-5816
10 j@marquisaurbach.com
11 dduncan@marquisaurbach.com

12 Attorneys for Plaintiff/Counter-Defendants

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14 **UNITED STATES DISTRICT COURT**

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16 **DISTRICT OF NEVADA**

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18 ULTRA INTERNET MEDIA, S.A., a company
19 organized under the laws of Nevis, West Indies;
20 and GIGAMEDIA LIMITED, a company
21 organized under the laws of the Republic of
22 China (Taiwan); and DOES 1-10,

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24 Plaintiff/Counter-Defendants,

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26 v.

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28 HARRAH'S LICENSE COMPANY, LLC, a
29 Nevada limited liability company; and
30 HARRAH'S INTERACTIVE
31 ENTERTAINMENT, INC., a Delaware
32 corporation,

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34 Defendants/Counterclaimants.
35 EVEREST GAMING LIMITED,

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37 Plaintiff,

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39 v.

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41 HARRAH'S INTERACTIVE
42 ENTERTAINMENT, INC.; and HARRAH'S
43 LICENSE COMPANY, LLC,

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45 Defendants.

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47 This matter came before the Court on August 12, 2010 for the hearing on Everest Gaming
48 Limited's ("Everest") Motion for Preliminary Injunction (the "Motion for PI") (Everest Gaming
49 Lawsuit Docket No. 4). At the hearing, Everest appeared and was represented by Jay Young,

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51 Consolidated Base Case File No.: 2:10-cv-00455-JCM-RJJ

52 (consolidated with Case No.: 2:10-cv-00607-JCM-RJJ)

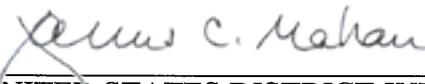
53 (consolidated w/ Case No.: 2:10-cv-00904-JCM-LRL)RJJ

54 **ORDER DENYING EVEREST GAMING
55 LIMITED'S MOTION FOR
56 PRELIMINARY INJUNCTION**

1 Esq. and David T. Duncan, Esq. of the law firm of Marquis & Aurbach, and by Timothy J. Kelly,
2 Esq. and Ralph A. Dengler, Esq. of the law firm of Fitzpatrick, Cella, Harper & Scinto. Harrah's
3 License Company, LLC ("HLC") and Harrah's Interactive Entertainment, Inc. ("HIE") (and
4 collectively, "Harrah's") appeared and were represented by James D. Boyle, Esq. and the law
5 firm of Santoro, Driggs, Walch, Kearney, Holley & Thompson.

6 Having reviewed the papers submitted in support of and in opposition to the Motion for
7 PI, and having heard the oral argument of counsel, the Court denies the Motion. Harrah's uses of
8 the mark EVEREST POKER in association with the 2010 World Series of Poker are only
9 potentially improper or infringing of Everest's rights, title and interest in and to said mark if the
10 Promotional Agreement was effectively terminated. The Court cannot conclude that either party
11 is likely to succeed on the merits of demonstrating that the Promotional Agreement by and
12 between Harrah's and Ultra Internet Media, S.A. ("UIM") was effectively terminated or not."
13 THEREFORE, it is hereby ORDERED, ADJUDGED and DECREED that Everest Gaming
14 Limited's Motion for Preliminary Injunction is DENIED.

15 DATED: August 20, 2010.


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UNITED STATES DISTRICT JUDGE

MARQUIS & AURBACH
10001 Park Run Drive
Las Vegas, Nevada 89145
(702) 382-0711 FAX: (702) 382-5816